

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT**

**IN RE: FCA US LLC MONOSTABLE  
ELECTRONIC GEARSHIFT  
LITIGATION**

MDL No. 2744

Case No. 16-md-02744-DML-DRG  
Hon. David M. Lawson

---

**SOPHIE MANNARINO, as  
Administrator for the Estate of  
MICHAEL J. MANNARINO, aka  
MICHAEL J. MANNARINO, JR.,**

Case No. 2:18-cv-10173-DML-DRG

**Plaintiff,**

**v.**

**FCA US LLC,**

**Defendant.**

---

**STIPULATION CONCERNING CASE  
MANAGEMENT BENCHMARKS FOR MANNARINO V. FCA US LLC**

The parties stipulate to a further extension of time to take the depositions of the remaining third-party witnesses Derick Elam and Gregory Chambers and submit that good cause supports that proposed extension.

On October 15, 2020, the Court granted the parties' stipulation to extend the deadline to take the depositions of the above third-party witnesses until December

7, 2020. (16-2744, ECF No. 686). The extension was requested because the witnesses had previously failed to appear in response to properly served deposition subpoenas, and Defendant anticipated the need to file enforcement motions.

Motions to compel the depositions of Mr. Elam and Mr. Chambers were filed in the U.S. District Court for the Eastern District of New York on November 10, 2020. The motion to compel Mr. Elam's deposition was granted on November 11, 2020, and he was ordered to appear for a deposition within fourteen (14) days. Mr. Elam was served with the order and an accompanying subpoena, but he did not appear for his deposition on November 24, 2020.

Due to a clerical misunderstanding, the motion to compel Mr. Chambers's deposition was not docketed until November 20, 2020. It remains pending at this time. However, in the event that the motion is granted, Defendant intends to serve Mr. Chambers with a copy of the order and a subpoena to appear for a deposition.

Both parties believe that Mr. Elam and Mr. Chambers are important to depose, as each witnessed the accident in question and provided statements to police. The parties therefore stipulate to an additional extension of time to allow for a ruling on the pending motion to compel the deposition of Gregory Chambers and to accommodate any additional action which might be required to complete these remaining depositions.

The parties further agree that the deadlines for related motions practice should be extended. They submit that good cause exists for these extensions based on the importance of these witnesses and their inability to secure that testimony despite diligence. They ask that the Court enter an order extending the deadlines in *Mannarino* by 45 days as follows:

- Complete Elam and Chambers Depositions By: **January 21, 2021**
- File *Daubert* and Dispositive Motions By: **February 12, 2021**

All other deadlines would remain in effect.

Stipulated and Agreed on December 2, 2020:

/s/ Michael R. Williams

Cheryl A. Bush (P37031)  
Michael R. Williams (P79827)  
**BUSH SEYFERTH PLLC**  
100 W. Big Beaver Rd., Suite 400  
Troy, MI 48084  
Tel: (248) 822-7800  
bush@bsplaw.com  
williams@bsplaw.com

James P. Feeney (P13335)  
Derek S. Whitefield (P38045)  
Fred J. Fresard (P43694)  
**DYKEMA GOSSETT PLLC**  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, MI 48304-2820  
Tel: (248) 203-0700  
jfeeney@dykema.com  
dwhitefield@dykema.com  
ffresard@dykema.com

*Attorneys for Defendant*  
*FCA US LLC*

/s/ Michael Zogala

Michael Zogala  
**LAW OFFICES OF MICHAEL S.**  
**LAMONSOFF, PLLC**  
32 Old Slip, 8th Floor  
New York, NY 10005  
Tel: (212) 962-1020  
mzogala@msllegal.com

*Attorney for Plaintiff Sophie Mannarino*